

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>)	
State Engineer,)	
)	
Plaintiff,)	No. 69cv07941-MV/LFG
)	
v.)	Rio Chama Stream System
)	
ROMAN ARAGON, <i>et al.</i> ,)	Section 7
)	Jicarilla Apache Nation
Defendants.)	
_____)	

MOTION FOR EXTENSION OF TIME

The Plaintiff Intervener the United States of America (“United States”) respectfully requests the Court to grant a further extension of time to submit a proposed consent order to the Court describing the water rights of the Jicarilla Apache Nation (“Nation”) in Section 7 of the Rio Chama Stream System, as required by the August 14, 2012 *Order Granting Extension of Time* (No. 10849). In support of this motion the United States asserts:

1. The August 14, 2012 order requires the Plaintiff State of New Mexico *ex rel.* State Engineer (“State”), the United States and the Nation to submit a proposed consent order, describing the water rights of the Nation in Section 7, to the Court’s Water Rights Law Clerk by October 15, 2012.
2. While resembling in form other consent orders entered in this civil action, the proposed Jicarilla consent order is a departure from the usual form of Indian water rights settlement. In consequence, it has taken longer than expected for the U.S. Department of Justice and the U.S. Department of the Interior to determine which of the

usual criteria and procedures for approval of Indian water rights settlements are applicable to the proposed Jicarilla consent order.

3. The United States, on October 10, 2012, provided the State and the Nation with a set of changes intended to clarify the text of the proposed consent order. Counsel for the Nation has indicated that these changes will be acceptable to the Nation. Counsel for the State has estimated the State will require an additional week to review and comment on the United States' proposal.

4. Based on the information now available from the Departments of Justice and Interior, the undersigned counsel for the United States believes final review and approval of the proposed Jicarilla consent order can be completed by the United States within a 45-day extension of time, or by November 29, 2012.

5. Counsel for the State and Counsel for the Nation do not oppose the extension requested by this motion.

WHEREFORE the United States respectfully requests an extension of time until November 29, 2012 to complete the review process so that the parties can jointly submit a proposed consent order to the Court for approval.

Electronically Filed

/s/ Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER
U.S. Department of Justice
South Terrace, Suite 370
999 18th Street
Denver, CO 80202
(303) 844-1359

COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2012, I filed the foregoing electronically through the CM/ECF system, which caused the parties on the electronic mailing list to be served via electronic mail as more fully set forth in the Notice of Electronic Filing.

/s/ Bradley S. Bridgewater
BRADLEY S. BRIDGEWATER